

**PATENT**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**(Case No. 05-693)**

|   |   |                            |
|---|---|----------------------------|
| <b>In re Application of:</b>                    | ) |                            |
|   | ) |                            |
| <b>McEvoy et al.</b>                            | ) |                            |
|   | ) | <b>Group Art Unit: TBA</b> |
| <b>Serial No.: TBA</b>                          | ) |                            |
|   | ) | <b>Examiner: TBA</b>       |
| <b>Int'l. Filing Date: February 27, 2004</b>    | ) |                            |
|   | ) |                            |
| <b>For: Optical CO<sub>2</sub> and Combined</b> | ) |                            |
| <b>O<sub>2</sub>/CO<sub>2</sub> Sensors</b>     | ) |                            |

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the Applicants wish to make the following references of record in the above-identified application. Copies of the non-US patent references are enclosed. The references are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular,

no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103, nor is this submission to be construed as a representation that a search has been made.

### CITED REFERENCES

#### FOREIGN PATENT DOCUMENTS

| No. | Document No.    | Date     | Country | Class | Subclass |
|-----|-----------------|----------|---------|-------|----------|
| 1.  | DE 19829657 A1  | 02/04/99 | Germany |       |          |
| 2.  | WO 02/056023 A1 | 07/18/02 | PCT     |       |          |

#### OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

| No. | Document   |
|-----|--|
| 3.  | MCEVOY et al., "Optical Sensors for Application in Intelligent Food Packaging Technology," <i>Opto Ireland 2002: Optics and Photonics Technologies and Applications</i> , March 2003, pgs. 806-815, vol. 4876, no. 2.          |
| 4.  | VON BÜLTZINGSLÖWEN et al., "Sol-gel based optical carbon dioxide sensor employing dual luminophore referencing for application in food packaging technology," <i>Analyst</i> , November 2002, pp. 1478-1483, vol. 127, no. 11. |
| 5.  | KLIMANT et al., "Oxygen-Sensitive Luminescent Materials Based on Silicone-Soluble Ruthenium Diimine Complexes," <i>Analytical Chemistry</i> , September 15, 1995, pp. 3160-3166, vol. 67, no. 18.                              |
| 6.  | MACCRAITH et al., "Fibre Optic Oxygen Sensor Based on Fluorescence Quenching of Evanescent-wave Excited Ruthenium Complexes in Sol-Gel Derived Porous Coatings," <i>Analyst</i> , April 1993, pp. 385-388, vol. 118.           |
| 7.  | MALINS et al., "Multi-analyte optical chemical sensor employing a plastic substrate," <i>Meas. Sci. Technol.</i> , August 2000, pp. 1105-1110, vol. 11, no. 8.   |

Respectfully submitted,  
**McDonnell Boehnen  
Hulbert & Berghoff LLP**

Date: August 25, 2005

By: 

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Emily Miao  
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|--|--|-----------------------------------|---------------------------------------|
| Form PTO-1449  | U.S. Department of Commerce<br>Patent and Trademark Office | Atty. Docket No.<br><br>05-693    | Serial No.<br><b>10/547065</b><br>TBA |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |  | Applicant: McEvoy et al.          |                                       |
|  |  | Filing Date:<br>February 27, 2004 | Group:<br>TBA                         |

**U.S. PATENT DOCUMENTS**

| Examiner Initial | Document Number | Date | Name | Class | Subclass | Filing Date |
|------------------|-----------------|------|------|-------|----------|-------------|
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|----|-----------------|----------|---------|-------|----------|--------------------------|
| 1. | DE 19829657 A1  | 02/04/99 | Germany |       |          | X (Abs.)                 |
| 2. | WO 02/056023 A1 | 07/18/02 | PCT     |       |          | X (Abs.)                 |

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| 3. | MCEVOY et al., "Optical Sensors for Application in Intelligent Food Packaging Technology," <i>Opto Ireland 2002: Optics and Photonics Technologies and Applications</i> , March 2003, pgs. 806-815, vol. 4876, no. 2.          |
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|----------|-----------------|
| Examiner | Date Considered |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.